

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-9298-2020

Date of decision: 6.3.2020

HARMAN SINGH AND ANOTHER

.....Petitioners

Versus

STATE OF PUNJAB

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Ranbir Singh Sekhon, Advocate
for the petitioners.

Mr. Randhir Singh Thind, DAG, Punjab.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioners have filed this petition seeking grant of regular bail in a case registered against him vide FIR No.45 dated 2.5.2019 under Sections 382/34 IPC (Sections 392, 395, 473, 120-B IPC and Section 25 Arms Act were added later on) at Police Station Dhakoli, District SAS Nagar.
2. The FIR was lodged at the instance of Jeenu Verma wife of Rakesh Verma wherein it has been alleged that on the date of occurrence when she was present at her home, the door bell rang and when her son opened the door, one person came inside followed by three more persons and who while brandishing weapons took away cash amount of ₹3.5 lakhs and gold ornaments.
3. Learned counsel for the petitioners has submitted that the petitioners have

not been named in the FIR and that they have falsely been implicated in the present case on account of the fact that there were some commercial transactions between the petitioners and husband of the complainant and that subsequently differences amongst the complainant and the petitioners were resolved and the complainant's husband had also furnished an affidavit which is duly referred to in order dated 14.11.2019 passed by learned Judge, Special Court, SAS Nagar Mohlai. It has further been submitted that co-accused of the petitioners namely Sukhdev Singh has already been granted concession of regular bail by this Court.

4. Opposing the petition, learned State counsel has submitted that in the present case, there is CCTV footage showing the presence of the petitioner-Harman Singh and that he was later identified the co-accused of the petitioner namely Sukhdev Singh and disclosed his name. It has further been submitted that the complainant in her statement recorded under Section 164 Cr.P.C. had reiterated the allegations levelled in the FIR and even if subsequently parties had entered into compromise the same would be of no significance. It has however been informed that the petitioners have been behind bars since last more than 8 months and that the petitioners are not involved in any other case.
5. Having regard to the facts and circumstances of the case and without commenting on merits of the case and while bearing in mind the fact that the petitioner has been behind bars since last 8 months, especially co-accused of the petitioners namely Sukhdev Singh has already been granted concession of bail by this Court, further detention of the petitioners will not serve any useful purpose as the conclusion of trial is

likely to take some time.

6. The petition, as such, is accepted and the petitioners are ordered to be released on regular bail on their furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(GURVINDER SINGH GILL)
JUDGE

6.3.2020
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No